

Massachusetts Water Resources Commission

Meeting Minutes for August 14, 1997

Commission Members in Attendance:

Mark Smith	Designee, Secretary of Environmental Affairs
Lee Corte-Real	Designee, Department of Food and Agriculture
Gary Clayton	Public Member
Mark Tisa	Designee, Department of Fish and Wildlife and Environmental Law Enforcement)
Jane Mead	Designee, Massachusetts Office of Coastal Zone Management (non-voting member)
Glenn Haas	Designee, Department of Environmental Protection

Others in Attendance:

April Bowling	DEM, Office of Water Resources
Vicki Gartland	DEM, Office of Water Resources
Peter Phippen	DEM, Office of Water Resources
Mike Rapacz	DEP, Wastewater
William J. Mullen	Army Corps of Engineers, Waltham, MA
Ellen Gugel	EOEA
Robert Brien	NAS South Weymouth/MDFA
Jennifer Rand	MAPC, Boston
Fred Russell	City of Woburn
Christy Foote-Smith	EOEA/Wetlands Restoration and Banking Program
Lealdon Langley	DEP, Water Management Program
Daniele Lantagne	Ipswich River Watershed Association
Chip Worton	Town of Rockport
Alan Boulter	Town of Rockport
Carlton Ray	Town of Rockport
Jennifer Doyle-Breen	Metcalf & Eddy
David Langthatt	Metcalf & Eddy

Agenda Item #1: Executive Director's Report

Mid-Summer Dry Period Update

Phippen of DEM discussed current drought conditions. He explained that although June and July were very dry months for eastern Massachusetts, western Massachusetts and the Cape are closer to normal. Essex County and northeast Massachusetts are areas of concern including the Saugus, Ipswich, and Shawsheen rivers. Some streams are approaching 7Q10. Some highlights:

Water supply. Although a number of communities are on DEP's water emergency declaration list and others have town-imposed restrictions, most reservoirs are still okay. Peter says that the

drought will have to continue for some time before water supply becomes a concern.

Habitat and forest fires. These two issues are of most concern, as fish are starting to pool and the top 6.2 inches of soil are dry. Essex County and the northeast are the areas of biggest concern including the Saugus, Ipswich, and Shawsheen rivers. Noanet Woods and the Fells had fires recently.

Agriculture. Crops are suffering and are smaller in size.

Clayton asked about progress to date on the WRC work plan. Phippen explained that:

- the habitat/wildlife issue is being addressed by the low flow group
- April Bowling at DEM is working on a drought preparedness plan
- Ipswich and Charles basin teams are working on water conservation

WRC members requested a report at every meeting or every other meeting on progress.

Cities of Springfield and Ludlow

The City of Springfield has written the WRC stating that it believes the Interbasin Transfer Act does not apply to its plan to provide Ludlow with water. Ludlow is in an extended emergency declaration so that it can obtain water from Springfield, which appears to be an out of basin transfer, making Springfield a permanent supply. It may be cheaper for Ludlow than filtering under SDWA. Smith said he thinks that the Interbasin Act does apply. He will check if action is required now.

Bluestone Project

Smith reported that the Draft EIR for the Bluestone Project is out for public comment. Clayton asked whether this needs WRC action. The Bluestone Project is a desalination plant that will augment water supplies for municipalities in the Taunton River basin. There is an Interbasin Transfer Act issue going on in parallel with the MEPA process. Brockton is asking for a “read” on the project in advance of a formal determination so that they can plan for one of two options for water supply. WRC staff will investigate if the MEPA process allows comment on the policy implications of the project.

Agenda Item #2: Adoption of the Minutes of July 10, 1997 meeting

Minutes are dated incorrectly as July 12, 1997 which was a Saturday. The correct date is July 10, 1997.

A quorum was not present to vote adoption of the minutes.

Agenda Item #3: Presentation: Proposals for planning assistance from the ACOE under section 22 and FPMS (a vote will be taken next month)

South Weymouth Naval Air Station Redevelopment

Bill Mullen, ACOE manager for Section 22 projects

Robert Brien, NAS South Weymouth, MDFA

Jennifer Rand, MAPC for Brockton

Redevelopment plans for the South Weymouth Naval Air Station were presented. Plans shown included residential and commercial use, open space, senior housing, etc. Part of the project requires that an environmental assessment be done. Site and plan specifics:

- The 1,452 acre base lies within Weymouth, Rockland, and Abington. (See attached map.)
- Aquifers under the base are currently unused.
- An ENF was submitted in May, but the EIR process has not been started.
- A Route 3 connection between Exits 15 and 16 will be sought.
- The Navy makes the base available in September.

Advocates listed eight issues including determining whether the existing on-base aquifers produce sufficient quantity and quality for the development and determining if the existing network of stormwater drainage can handle additional discharge.

Town of Woburn Flood Control

Fred Russell, Town of Woburn

Woburn is seeking ACOE funding to remedy flooding of the Middlesex Canal. Annual flooding occurs and hundreds of residences (yards mainly) are affected. The flooding is caused by urban development and resulting runoff. There is also a water quality problem with low flow at other times (stench). An ACOE FEMA 404 application was denied. The town is seeking to apply to the ACOE under the Flood Plain Management Program as it is in line with their work.

Wetlands Restoration Program in the Connecticut River

Christy Foote-Smith, EOEA/Wetlands Restoration and Banking Program

The WRBP is seeking ACOE funding for a wetlands restoration project in the Connecticut River watershed. A Section 22 study was done earlier, as was a pilot project in the Neponset River watershed. She showed a sample Wetlands Restoration Plan. The program provides town maps identifying potential restoration sites and USGS updates to wetlands areas. The goal is to identify potential restoration sites. There is a public involvement component. These plans are being integrated into the basin planning and management cycle. The Connecticut River is currently in the right planning phase to fit in. WRC voted to do this project two years ago, but there was no funding. The Connecticut River Watershed Association supports the program.

Agenda Item #4: Revised DEP ground water permit discharge regulations and ground water classification

Rapacz explained that proposed regulation changes are under 314 C.M.R. § 6 (underwater injection control regulations). There have been no changes since 1983. These regulations had been in drinking water and are now moved. Changes are needed to align with Title V and to provide options other than wastewater treatment plants. New regulations use a performance based approach which Connecticut also uses. It is more restrictive than the current Title V. The new provisions have limited applicability as sites must have substantial land available for implementation, but could result in substantial cost savings for schools, country clubs, condominiums, or any institution with the land available. The new regulations address nitrogen loading and apply to establishments using 10,000 gpd or more. This option requires a hydrological assessment of groundwater flow to determine feasibility.

In the past, the groundwater classification program has been used to declassify water around wastewater treatment plants so that they may be designed/built to a lower treatment level. The changes result in the sunset of Section 3 and Section 6. Section 6 was never used to protect groundwater, only to degrade it.

The regulations are currently under review at DEP. A draft will be available next month, followed by a public comment period in early October. Regulations will be finalized by Dec 31. The WRC will get an advance copy in September.

Agenda Item #5: Ipswich River Watershed Association grant

Daniele Lantagne noted that the IRWA is asking the WRC to write a letter of support for their application for federal grant money under the EPA Sustainable Development Challenge Grant program. The application is \$50,000 for a “Water Watch Program” and requires 20 percent matching funds. The program provides:

- water audits and recommendations directly to household
- retrofitting of town buildings with water conservation devices
- outreach program in schools
- lawn landscape program
- demand forecasting using software modeling

Lantagne cited the American Rivers designation of the Ipswich as one of the 20 most threatened rivers in the U.S., the fact that the Ipswich is currently completely dry in Wilmington, and fish kills that have occurred this season.

Clayton asked if the WRC has ever endorsed grant applications before. Those present were unsure whether a precedent existed. Since it was not a state program, members present felt it was okay.

A formal vote was not taken since a quorum was not present. The sense of those present was that the Executive Director should write a letter.

Agenda Item #6: Town of Rockport: New Source Application

Langley of DEP/Water Management Program explained that DEP is looking for guidance from the WRC on making a determination on a new water supply request from the Town of Rockport because of the unique characteristics of the situation. He proceeded to give background on the case.

There are two major policy issues. The first is that the north coastal basin is closed to new sources and has a minimum streamflow threshold of 0.23 cfs developed in the North Coastal Basin Plan developed in 1989-90. However, Rockport needs new sources and the withdrawal would not adversely affect the rest of the basin. Second, 0.23 cfs is at variance with the 0.05 cfs used in the 1982/1983 Draft EIR files. In 1994/1995 a project change notification also recognized .05 cfs. The new source consists of a stream diversion into a quarry for water supply.

Langley then introduced project consultants from Metcalf & Eddy and officials from the Town of Rockport who presented more detail. M&E consultants explained that many options (desalinization, regionalization with Gloucester, and in-town sources) and many sources (Cape Pond expansion, several brooks, and quarries) were reviewed for suitability in the process. A supplementary EIR that also uses 0.05 cfs is in progress and is expected mid-fall.

Summary from Town of Rockport on conservation efforts and water system characteristics:

- lowest water per capita consumption in state
- highest water rates in the state: \$6/1000 gallons
- water restrictions every summer
- shallow soil on bedrock
- dry streams mainly in the summer

The Commission discussed a number of related policy questions including: If the numbers change, does that mean the north coast closure ends? Can modification of the closure be done on a sub-basin basis? Can the demand be met with the 0.23 cfs?

WRC asked Langley to return with the specific policy questions on which the DEP needs guidance. Members would also like a history of major points of the case, a summary of the FEIR from 1982/1983, and legal analysis from Langley.

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Meeting minutes approved 9/11/97

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